IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 26129 of 2000

And

W.P.M.P.No.33278 of 2000

WRIT PETITION NO : 26129 of 2000

Between:

Ramanand Agarwal,

S/o.Prabhudayal Agarwal,

Aged about 50 years,

R/o.Begum Bazar,

Hyderabad.

..... PETITIONER

AND

1. The Collector & District Magistrate,

Hyderabad District,

Hyderabad.

2. Andhra Pradesh Industrial Development Corporation Ltd.,

Parishrama Bhavan,

Fateh Maidan Road,

Hyderabad, Rep. By its General Manager.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ particularly one in the nature of writ of Mandamus declaring that the Section 52(A) of the Revenue Recovery Act is arbitrary, illegal and ultra virus the Constitution and consequently declare that the order of the 2nd respondent dated 27.07.1999 and the consequential letters 28.04.2000 addressed to the first respondent as bad in law and unenforceable in the interest of justice and equity and fair play, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

W.P.M.P.No.33278 of 2000

Petition under Section 151 of C.P.C praying that in the circumstances stated in the accompanying affidavit filed herein the High Court may be pleased to stay all further proceedings in pursuance to the 2nd respondent letter dated 27.07.1999 pending disposal of the above writ petition and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.KOKA SATYANARAYANA RAO

Counsel for the Respondents: MR.C.V.MOHAN REDDY

The Court made the following :

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ORDER:

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As the learned counsel who is appearing for the petitioner got appointed as the learned Judicial Member of the A.P. Administrative Tribunal, this Court ordered

notice to the petitioner. The postal cover sent to the petitioner was returned with an endorsement “Not claimed”.

In view of the judgment of the Supreme Court in **Karnataka Public Service Commission v. P.S.Ramakrishna** when a registered postal cover is returned with an endorsement “Not claimed”, it shall be deemed that the notice is duly served. As the petitioner is not evincing any interest in spite of service of notice, no useful purpose would be served by keeping the writ petition on the file of this Court.

Therefore, though the interlocutory matters are listed, the interim orders dated 29.12.2000 granted in W.P.M.P.No.33278 of 2000 in W.P.No.26129 of 2000 are vacated and the writ petition is dismissed. No costs.

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(V.V.S.RAO, J)

07.07.2005

vs

To

1. The Collector & District Magistrate,

Hyderabad District,

Hyderabad.

2. The General Manager,

Andhra Pradesh Industrial Development Corporation Ltd.,

Parishrama Bhavan,

Fateh Maidan Road,

Hyderabad.

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